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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/569,079	12/04/2006	Kenneth Hillel Peter Harris	P68780US1	2611
136 7590 06/17/2011 JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004				
EXAMINER BARCENA, CARLOS				
ART UNIT 1731		PAPER NUMBER		
MAIL DATE 06/17/2011		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Status of Claims

1. The amendment filed 06/09/2011 has been entered. Claims 1, 3, 9, and 16-22 remain pending. Applicant's arguments have been fully considered but they are not persuasive.
2. Applicant argues the examples of the prior art references relate to the use of finely divided or colloidal silica together with diverse materials for the manufacture of cements and not relevant examples in the manufacture of metallurgical slurries. In response to Applicant's argument, "for use in the manufacture of shells for investment casting and for use in the manufacture of mould and core coatings for metal casting" is intended use. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In this case, Kubo teaches each and every limitation as required by independent claim 1.
3. Similar argument for intended use can be made for Goodson despite relating to a "hodge-podge of materials". Applicant also argues this system would destabilize immediate. In response, it is noted that the features upon which applicant relies (*i.e.*, stable time frame) is not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Finally, argues the role of the phosphates in claim 20 provide free phosphoric acid by reaction with the stronger acids of claim 15. Claim 15 has been canceled and not currently pending.

4. Finally, Examiner would like to respectfully cite claims 19 and 20 have been previous indicated as allowable subject matter.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARLOS BARCENA whose telephone number is (571)270-5780. The examiner can normally be reached on Monday through Thursday 8AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lorengo Jerry can be reached on (571) 272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JERRY A LORENZO/
Supervisory Patent Examiner, Art Unit 1731

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